

PATENT
Atty. Dkt. No 17714 (AT 20958-1007)

Remarks

Claims 1, 4-6, 8-14, 17, 18 and 29-36 remain pending in the present application. It is submitted that the pending claims define allowable subject matter.

Claims 1, 4-6, 8-14, 17, 18 and 29-36 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Chen et al. (PG Publication 2001/0009724). Applicants respectfully traverse this rejection for reasons set forth hereafter.

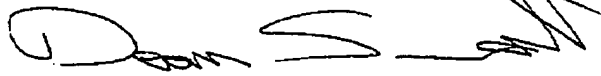
The Chen reference only qualifies as prior art under 35 USC 102(e) as Chen published June 26, 2003, whereas the subject application was filed February 11, 2002. The Chen reference has a filing date of December 21, 2001, less than 2 months before the filing date of the subject application. The attached Declarations are submitted to antedate the Chen reference and thus remove the Chen reference from the available prior art.

The attached Declaration of the first named inventor shows that the inventors of the subject application conceived of the presently claimed invention before December 21, 2001. The attached Declarations of the first named inventor and the undersigned show diligence from prior to December 21, 2001 up to the filing date of the subject application on February 11, 2002. Thus, it is submitted that the Chen reference is no longer available as prior art against the claimed invention. As the sole outstanding rejection is based on Chen, it is believed that the present application is now in condition for allowance.

The applicants reserve the right to subsequently show that the claimed invention was actually reduced to practice prior before or after the filing date of the Chen reference.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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